

AUG 31 2004

PTO/SB/31(06-03)
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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)
100717-79/Bayer 10,197.2 KGB/TAG

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Agata Glinska
Agata Glinska

In re Application of
Neuser et al.Application Number
09/402,737Filed
October 8, 1999For
Analgesic CombinationArt Unit
1616Examiner
George M. Konata

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated August 23, 2004, finally rejecting claims 1-4, 8, 9, 12, 13, 15-18, 20, 22, and 23.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

- Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.
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- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263.
- A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

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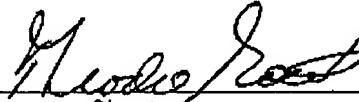
- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96).
- attorney or agent of record.
Registration _____
- attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 42,597

31 August 2004

Date

(212) 808-0700

Telephone Number



Signature

Theodore A. Gottlieb

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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This collection of information is required by 37 CFR 1.8. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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